

Absent

Moffett Weinert

Absent—Excused

Colson

(President in the Chair.)

Question then recurring on the amendment it was adopted.

S. B. No. 116 was passed to engrossment.

Senate Bill 116 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 116 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lane
Ashley	Lock
Bell	Martin
Bullock	McDonald
Carney	Moffett
Corbin	Moore
Cousins	Morris
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	

Nays—4

Bracewell	Strauss
Hardeman	Vick

Absent

Weinert

Absent—Excused

Colson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Carney
Ashley	Corbin
Bell	Cousins
Bracewell	Hardeman
Bullock	Harris

Hazlewood	Moffett
Hudson	Moore
Jones	Morris
Kelley of Hidalgo	Phillips
Kelly of Tarrant	Proffer
Lane	Shofner
Lock	Taylor
Martin	Tynan
McDonald	

Nays—2

Strauss	Vick
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Absent

Weinert

Absent—Excused

Colson

Adjournment

On motion of Senator Harris the Senate at 5:55 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

TWENTY-FIFTH DAY

(Thursday, February 24, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson	Kelley of Hidalgo
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A quorum was announced present.

Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Hazlewood, and by unanimous consent, the read-

ing of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Colson was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Kelley of Hidalgo was granted leave of absence for today on account of important business on motion of Senator Phillips.

Senate Resolution 51

Senator Hardeman offered the following resolution:

Whereas, The Honorable Penrose Metcalfe, the distinguished former Senator from Tom Green County, is in the Capitol today; and

Whereas, The Senate is glad to have him visit with us; now, therefore, be it

Resolved, That the Senate extend hearty greetings to Senator Penrose Metcalfe—that he be extended the privileges of the floor for today and that he be invited to address the Senate at this time.

The resolution was read and was adopted.

Accordingly, the President pro tempore appointed Senators Hardeman, Hudson and Carney as a committee to escort Senator Metcalfe to the President's stand.

The President pro tempore then presented Senator Metcalfe who addressed the Senate briefly.

Reports of Standing Committees

Senator Bell submitted the following report:

Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 171, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

Senator Hardeman submitted the following report:

Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 7, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Senator Harris submitted the following report:

Austin, Texas,
February 23, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Oil, Gas, and Conservation, to whom was referred Senate Bill No. 24, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARRIS, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred to the committees indicated:

By Senator Carney:

S. B. No. 276, A bill to be entitled "An Act to amend Section 1 of Subdivision 76, Art. 199, Title 8, R. C. S. of Texas, 1925, fixing the terms of court in the 76th Judicial District of Texas in the Counties of Titus, Franklin, Camp, Morris and Marion; and declaring an emergency."

To Committee on Judicial Districts.

By Senator Carney:

S. B. No. 277, A bill to be entitled "An Act creating an open and closed season on squirrels in Harrison, Marion, Cass and Bowie Counties; prescribing a penalty; providing for the repeal of conflicting laws; and declaring an emergency."

To Committee on Game and Fish.

By Senator Carney:

S. B. No. 278, A bill to be entitled "An Act amending Section 1 of H. B. 706, Ch. 267, Acts of the R. S. of the 50th Legislature, 1947, page 466, by providing that it shall be unlawful to use certain seines and nets having meshes of two and one-half inches (2½") square and over; providing a

penalty; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To Committee on Game and Fish.

By Senator Carney:

S. B. No. 279, A bill to be entitled "An Act making it unlawful to buy, sell, or offer for sale, or have in possession for sale, or to transport or ship for the purpose of sale, barter or exchange any White Bass or Striped Bass (Barfish) in Marion and Harrison Counties, Texas and establishing a daily catch limit of twenty-five (25) White Bass fish and twenty-five (25) Striped Bass fish (Barfish) per person, providing a penalty; saving clause; repealing clause, and declaring an emergency."

To Committee on Game and Fish.

By Senator Carney:

S. B. No. 280, A bill to be entitled "An Act prohibiting the taking or killing of deer in Marion and Harrison Counties and declaring a closed season on deer in said counties for a period of three (3) years; repealing all laws and parts of laws in conflict herewith; providing a penalty; and declaring an emergency."

To Committee on Game and Fish.

By Senator Moore:

S. B. No. 281, A bill to be entitled "An Act to establish and regulate a Standard State School Building Code Commission and a State School Plant Division in the State Department of Education for protection of life, health, safety and the general welfare; providing for appointment of personnel and tenure of appointees in such Commission and Division; and declaring an emergency."

To Committee on Education.

By Senator Bell:

S. B. No. 282, A bill to be entitled "An Act to amend Section 58-a of Senate Bill 111, Chapter 61, page 100 of the General laws passed by the Second Called Session of the 41st Legislature, and declaring an emergency."

To Committee on Banking.

By Senator Taylor:

S. B. No. 283, A bill to be entitled "An Act amending Senate Bill No. 391, Acts of the Fiftieth Legislature, by increasing the purposes for which

money appropriated to the Veterans State Service Office by Item 45 of the appropriation for said State Agency can be expended, and declaring an emergency."

To Committee on Finance.

By Senator Aikin:

S. B. No. 284, A bill to be entitled "An Act appropriating the sum of Two Million, Seven Thousand, Eight Hundred Seven and no/100 (\$2,007,807.00) Dollars per year or so much thereof as may be necessary, for the next biennium beginning September 1, 1949, and ending August 31, 1951, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, distributive education and for the vocational rehabilitation of disabled persons according to the Federal laws governing vocational education and rehabilitation, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations, and limitations relative thereto; making various allocations of said appropriations; authorizing aid to schools in accordance with the conditions specified herein; providing all costs of administering funds named in this Act shall be paid out of moneys . . . and declaring an emergency."

To Committee on Finance.

House Bill 256 on Third Reading

The President pro tempore laid before the Senate on its third reading and final passage:

H. B. No. 256, A bill to be entitled "An Act amending Section 1a of the Acts of the Regular Session of the 46th Legislature, Special Laws, page 831, as amended by the Acts of the Regular Session of the 47th Legislature, 1941, Chapter 281, page 445, and as amended by the Acts of the Regular Session of the 49th Legislature, 1945, Chapter 110, page 158, and as amended by the Acts of the Regular Session of the 50th Legislature, 1947, Chapter 160, page 264, by adding thereto the County of Jim Hogg, so as to make it therein lawful to capture, shoot or kill Collared Peccary or Javelina at any time; prohibiting the sale of Collared Peccary or Javelina, or any part of same, in said County; retaining

Crockett, Dimmit, Frio, Kinney, La Salle, Maverick, Medina, McMullen, Starr, Uvalde, Val Verde, Webb, Zapata, and Zavala Counties in the provisions thereof; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Martin
Bell	McDonald
Bullock	Moffett
Carney	Moore
Corbin	Morris
Hardeman	Phillips
Harris	Shofner
Hudson	Strauss
Jones	Taylor
Kelly of Tarrant	Tynan
Lane	Vick
Lock	

Absent

Ashley	Hazlewood
Bracewell	Proffer
Cousins	Weinert

Absent—Excused

Colson	Kelley of Hidalgo
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House Bill 215 on Third Reading

The President pro tempore laid before the Senate on its third reading and final passage:

H. B. No. 215, A bill to be entitled "An Act to provide a closed season on wild deer in Limestone County for a period of five (5) years; prescribing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Martin
Ashley	McDonald
Bell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Taylor
Kelly of Tarrant	Tynan
Lane	Vick
Lock	

Absent

Bracewell	Harris
Cousins	Weinert

Absent—Excused

Colson	Kelley of Hidalgo
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House Bill 149 on Third Reading

The President pro tempore laid before the Senate on its third reading and final passage:

H. B. No. 149, A bill to be entitled "An Act to provide an open season for the hunting, taking or killing of wild deer in Jack County; providing a bag limit of two buck deer for each hunter during a season; fixing a penalty for the violation hereof; repealing all laws in conflict; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Ashley	McDonald
Bell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Lane	Weinert
Lock	

Absent

Bracewell	Cousins
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Absent—Excused

Colson	Kelley of Hidalgo
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House Bill 98 on Third Reading

The President pro tempore laid before the Senate on its third reading and final passage:

H. B. No. 98, A bill to be entitled "An Act amending Section 1 of Chapter 72 of the Acts of the Fifth Called Session of the Forty-first Legislature, 1930, so as to provide an open season for squirrels in Runnels County; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Bracewell
Ashley	Bullock
Bell	Carney

Corbin	Moffett
Hardeman	Moore
Harris	Morris
Hazlewood	Phillips
Hudson	Proffer
Jones	Shofner
Kelly of Tarrant	Strauss
Lane	Taylor
Lock	Tynan
Martin	Vick
McDonald	Weinert

Absent

Cousins

Absent—Excused

Colson Kelley of Hidalgo

House Bill 94 on Third Reading

The President pro tempore laid before the Senate on its third reading reading and final passage:

H. B. No. 94, A bill to be entitled "An Act amending House Bill 433, Acts of the 50th Legislature, Regular Session, 1947, Chapter 100, page 161, relating to open season for squirrels in the counties of Hopkins, Franklin and Delta, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson Kelley of Hidalgo

House Bill 326 on Third Reading

The President pro tempore laid before the Senate on its third reading reading and final passage:

H. B. No. 326, A bill to be entitled "An Act to provide a closed season on wild deer and wild turkey in Nolan County for a period of two

years; prescribing a penalty; repealing all laws in conflict herewith and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Lane	Weinert

Absent

Kelly of Tarrant

Absent—Excused

Colson Kelley of Hidalgo

House Bill 325 on Third Reading

The President pro tempore laid before the Senate on its third reading reading and final passage:

H. B. No. 325, A bill to be entitled "An Act amending Article 880 of the Penal Code of the State of Texas, as amended by the Acts of the 45th Legislature, 1937, 2nd Called Session, Chapter 49, and as amended by the Acts of the 47th Legislature, 1941, Regular Session, Chapter 593, by adding thereto the Counties of Starr, Webb, and Zapata, and changing the provisions of the Act so as to permit trailing wounded deer with dogs; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Jones
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	McDonald
Corbin	Moffett
Cousins	Moore
Hardeman	Morris
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner

Strauss
Taylor
Tynan

Vick
Weinert

Absent—Excused

Colson

Kelley of Hidalgo

House Bill 231 on Third Reading

The President pro tempore laid before the Senate on its third reading reading and final passage:

H. B. No. 231, A bill to be entitled "An Act providing that wild fox may be taken or killed at any time in Robertson County and providing that the hides and pelts thereof may be sold, repealing all laws or parts of laws in conflict herewith and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson

Kelley of Hidalgo

House Bill 314 on Third Reading

The President pro tempore laid before the Senate on its third reading reading and final passage:

H. B. No. 314, A bill to be entitled "An Act fixing an open season on buck deer, wild turkey and quail in McMullen County; repealing all laws in conflict therewith; fixing a penalty; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Bullock
Ashley	Carney
Bell	Corbin
Bracewell	Cousins

Hardeman	Moore
Harris	Morris
Hazlewood	Phillips
Hudson	Proffer
Jones	Shofner
Kelly of Tarrant	Strauss
Lane	Taylor
Lock	Tynan
Martin	Vick
McDonald	Weinert
Moffett	

Absent—Excused

Colson

Kelley of Hidalgo

House Bill 218 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 218, A bill to be entitled "An Act repealing all local or special laws in so far as they govern the taking or trapping of wild fox in Limestone County; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 218 on Third Reading

Senator Hardeman moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson

Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson	Kelley of Hidalgo
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House Bill 332 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 332, A bill to be entitled "An Act amending Ch. 45, Acts of the R. S. of the 44th Legislature, 1935, as amended by Ch. 207, Acts of the R. S. of the 48th Legislature, 1943, and as amended by Ch. 227, Acts of the R. S. of the 50th Legislature, 1947, page 400, by adding thereto Washington County and continuing all other counties subject to same; providing a penalty; and declaring an emergency."

The bill was read second time.

Senator Carney offered the following amendment to the bill:

Amend H. B. No. 332 by striking out the words "this State" in Section One and inserting "the following named counties in Section Two herein."

The amendment was adopted.

The bill was passed to third reading.

House Bill 332 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson	Kelley of Hidalgo
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson	Kelley of Hidalgo
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House Bill 67 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 67, A bill to be entitled "An Act validating certain independent school districts which have been redefined by county boards of trustees; validating such orders passed by county boards of trustees; validating elections held in such districts to authorize maintenance taxes, assumptions of bonded indebtedness, and the issuance of bonds; enacting other provisions relating to the subject; providing that this act shall not

apply to any annexation or consolidation or any bond or tax election the validity of which has been attacked by litigation on the effective date of this act; and declaring an emergency."

The bill was read second time.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 67 by adding the following to Sec. 3:

"This Act shall not apply to any district which on the effective date of this Act is involved in litigation which questions the legality of the formation or creation of such district, or the validity of the election for the purpose of forming or creation of such district, or the validity of the acts of persons purporting to be the trustees thereof, or the validity of any elections subsequent to the purported formation or creation of such district for purpose of assumption of indebtedness or levy of special maintenance taxes; nor shall this Act have the effect of validating any of such districts, elections, or proceedings in the event the Courts shall hold them to be illegal or invalid under the general laws; nor shall this Act be construed as authorizing for the future the formation of County-Line Rural High School Districts with legal status of strict independent school districts."

The amendment was adopted.

On motion of Senator Martin and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

The bill was passed to third reading.

House Bill 67 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Carney
Ashley	Corbin
Bell	Cousins
Bracewell	Hardeman
Bullock	Harris

Hazlewood	Morris
Hudson	Phillips
Jones	Proffer
Kelly of Tarrant	Shofner
Lane	Strauss
Lock	Taylor
Martin	Tynan
McDonald	Vick
Moffett	Weinert
Moore	

Absent—Excused

Colson Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Nays—1

Aikin

Absent—Excused

Colson Kelley of Hidalgo

House Bill 282 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 282, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all school districts, validating the acts of county boards of school trustees, county judges, commissioners' courts, boards of trustees of such school districts, and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain districts involved now or previously involved in litigation, or

to districts which may have been established and which later returned to original status; providing a savings clause, and declaring an emergency."

The bill was read second time.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 282, Section 1, paragraph 2 by adding the following language after the comma following the word "otherwise": "or detaching or eliminating any district or districts from an existing district."

The amendment was adopted.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 282, Section 1, paragraph 3, by adding after the comma following the words "an independent school district" the following: "or consolidated common school districts."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 282 by changing the period to a comma after the word "validated" on line 28, page 2 of the printed bill, the following:

"Providing that nothing in this act shall affect existing school districts where no election has been held therein to change the boundaries thereof or consolidate such district with another district."

The amendment was adopted.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 282 by adding the following to Sec. 3:

"This Act shall not apply to any district which on the effective date of this Act is involved in litigation which questions the legality of the formation or creation of such district, or the validity of the election for the purpose of forming or creation of such district, or the validity of the acts of persons purporting to be the trustees thereof, or the validity of any elections subsequent to the purported formation or creation of such district for purpose of assumption of indebtedness or levy of special maintenance taxes; nor shall this Act have the effect of validating any of such districts, elections, or proceedings in

the event the Courts shall hold them to be illegal or invalid under the general laws; nor shall this Act be construed as authorizing for the future the formation of County-Line Rural High School Districts with legal status of strict independent school districts."

The amendment was adopted.

On motion of Senator Corbin and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

The bill was passed to third reading.

House Bill 282 on Third Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Ashley	Hazlewood
Bell	Hudson
Bracewell	Jones
Bullock	Kelly of Tarrant
Carney	Lane
Corbin	Lock
Cousins	Martin
Hardeman	McDonald
Harris	Moffett

Moore	Strauss
Morris	Taylor
Phillips	Tynan
Proffer	Vick
Shofner	Weinert

Nays—1

Aikin

Absent—Excused

Colson

Kelley of Hidalgo

House Bill 61 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 61, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be known as 'Subdivision 108,' providing for the creation of private corporations for the purpose of owning, selling, repairing, leasing, or renting for hire and/or any other lawful purpose, phonographs, electrical music machines and coin operating vending machines used to dispense or vend merchandise, commodities, confections or music."

The bill was read second time and was passed to third reading.

Record of Vote

Senator McDonald asked to be recorded as voting "nay" on the passage of the bill to third reading.

House Bill 61 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 61 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hudson
Ashley	Jones
Bell	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Carney	Martin
Corbin	McDonald
Cousins	Moffett
Hardeman	Moore
Harris	Morris
Hazlewood	Phillips

Proffer	Tynan
Shofner	Vick
Strauss	Weinert
Taylor	

Absent—Excused

Colson

Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert

Nays—1

McDonald

Absent—Excused

Colson

Kelley of Hidalgo

**Committee Substitute
Senate Bill 4 on Second Reading**

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C. S. S. B. No. 4, A bill to be entitled "An Act to conserve the edible aquatic life within tidal waters of the State of Texas; defining 'commercial fishermen' and 'commercial fishing boats' and providing for certain fees and licenses; defining the authority of the Game, Fish and Oyster Commission; repealing Acts, 1945, 49th Legislature, p. 78, Ch. 55, and Acts, 1947, 50th Legislature, p. 86, Chapter 59; repealing all laws in conflict herewith; providing a penalty; providing a severance and savings clause; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 4 by changing the figures "1948" in the last sentence of Section 4 and in the first sentence of Section 5 to the figures "1949."

The amendment was adopted.

The bill was passed to engrossment.

**Committee Substitute
Senate Bill 4 on Third Reading**

Senator Phillips moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Nays—1

Cousins

Absent—Excused

Colson Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Morris
Carney	Phillips
Corbin	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Nays—2

Cousins Moore

Absent—Excused

Colson Kelley of Hidalgo

Senate Bill 97 on Second Reading

On motion of Senator Kelly of Tarrant and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 97, A bill to be entitled "An Act to amend Article 681, Title 20, Chapter 5 of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 97 on Third Reading

Senator Kelly of Tarrant moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Colson Kelley of Hidalgo

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Bell
Ashley	Bracewell

Bullock	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Taylor
Kelly of Tarrant	Tynan
Lane	Vick
Lock	Weinert
Martin	

Absent—Excused

Cousins Kelley of Hidalgo

Senate Resolution 52

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the Junior and Senior classes of the Texas School for the Blind, together with their Government teacher, Mrs. Louise Hancock, and their principal, Mr. F. G. Tagguard, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this Resolution.

The resolution was read and was adopted.

Executive Session

On motion of Senator Strauss, the Senate agreed to hold an executive session at 11:42 o'clock a.m. today.

Accordingly the President pro tempore directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Assistant Adjutant General of Texas, Col. William H. Martin of Austin, Travis County;

To be Commissioner of Labor Statistics for the term expiring January 31, 1949, M. B. Morgan of Denison, Grayson County;

To be Members of the Gonzales State Park Commission for two year terms to expire June 12, 1949, Mrs. Henry Reese III of Gonzales, Gonzales County, Mrs. B. Duncan Davis of Gonzales, Gonzales County, Mrs. A. G. Blackwelder of Gonzales, Gonzales County;

To be Judge of the Criminal District Court No. 1, Dallas County, to succeed the late Honorable Winter King, Robert A. Hall of Dallas, Dallas County;

To be a Member of the State Plumbing Board to fill the unexpired term of Warren Bellows, resigned, term to expire May 28, 1953, James M. Odom of Austin, Travis County;

To be Members of the Texas Civil Judicial Council for six year terms to expire July 1, 1953, George Waverley Briggs of Dallas, Dallas County (Lay member), Thomas J. Pitts of Odessa, Ector County (Lawyer member);

To be a Member (Journalist) of the Texas Civil Judicial Council for a six year term to expire July 1, 1953, Richard M. Morehead of Austin, Travis County;

To be Judge of the 129th Judicial District Court of Harris County, Texas, Dan Jackson of Houston, Harris County;

To be a Member of the James Stephen Hogg Memorial Commission for a six year term to expire June 12, 1953, B. G. Byars of Tyler, Smith County;

To be Members of the State Board of Trustees for the State Employee Retirement System, Joe Fletcher of the Department of Public Safety (2 year term to expire June 10, 1949), C. F. Boulden of the Railroad Commission (4 year term to expire June 10, 1951), Fred Bennett of the State Highway Department (6 year term to expire June 10, 1953);

To be Judge of the 133rd Judicial District Court of Harris County, Texas, Wilmer Hunt of Houston, Harris County;

To be a Member of the State Board of Embalming for a six year term to expire May 31, 1953, Glenn Massie of Austin, Travis County;

To be Members of the Burial Association Rate Board, W. W. Rix of Lubbock, Lubbock County, for a two year term to expire June 12, 1949, Harry Skinner of Edinburg for a two year term to expire June 12, 1949, Marvin Shannon of Fort Worth for a four year term to expire June 12, 1951, Grady Fry of Paris, for a four year term to expire June 12, 1951, Tom Welch of Longview for a six year term to expire June 12, 1953;

To be Members of the State Board of Optometry for six year terms to expire August 11, 1953, Dr. J. Howard Clark of Houston, Harris County;

To be Members of the Fannin State Park Commission, Mrs. Hattie Swicheimer of Goliad, Goliad County, for a 6 year term to expire September 5, 1953, Ralph Bego of Goliad, Goliad County, for a 4 year term to expire September 5, 1951, Arthur Killebrew of Goliad, Goliad County, for a 2 year term to expire September 5, 1949;

To be Judge of the 5th Judicial District, to fill the unexpired term of Honorable Robert S. Vance, resigned, E. Harold Beck of Texarkana, Bowie County;

To be Members of the Advisory Hospital Council, for six year terms to expire August 13, 1953: Dr. Harvey Renger of Hallettsville, Lavaca County, Dr. Merton Minter of San Antonio, Bexar County, Ben Templeton of Brady, McCulloch County, Meade Griffin of Plainview, Hale County;

To be Members of the Advisory Hospital Council, for four year terms to expire August 13, 1951: Thomas Head of San Angelo, Tom Green County, Dr. Joseph D. Nichols of Atlanta, Cass County, Dr. R. W. Kimbro of Cleburne, Johnson County, J. Walton Hammond of Waco, McLennan County;

To be Members of the Advisory Hospital Council, for two year terms to expire August 13, 1949: Dr. Horace Baker of Wills Point, Van Zandt County, Bert Giesecke of Austin, Travis County, Mrs. Wanda Reed of Amarillo, Potter County;

To be Member of the Industrial Accident Board for a six year term to expire September 1, 1953, Leonard Carlton of Commerce, Hunt County;

To be Members of the State Board of Pharmacy for six year terms to

expire June 14, 1953, Leon L. Kahane of Hallettsville, Lavaca County, Shine Phillips of Big Spring, Howard County;

To be Members of the State Board of Veterinary Medical Examiners for two year terms to expire January 17, 1949, J. W. Barton of Temple, Bell County, Joe B. Mimms of Cleburne, Johnson County, R. L. Rhea of San Antonio, Bexar County, J. D. Williams of Colorado City, Mitchell County, William N. Porter of Denison, Grayson County, H. K. Maier of Beaumont, Jefferson County, N. A. Cox of Lubbock, Lubbock County;

To be Members of the Board of Directors of the Nueces River Conservation and Reclamation District for six year terms to expire February 1, 1953, T. A. Hardin, Jr., of Uvalde, Uvalde County, Luther DeVilbiss of Pearsall, Frio County, Lee Ricks of Pleasanton, Atascosa County, Francis C. Richter of Hondo, Medina County, Tom Miller of George West, Live Oak County, F. W. Pulliam of Crystal City, Zavala County, Frank B. LeFevre of San Antonio, Bexar County;

To be a Member of the Board of Directors of the Dallas County Flood Control District for a six year term to expire September 4, 1953, Albert Hagman, Sr., of Dallas, Dallas County;

To be Members of the Board of Directors of the Texas College of Arts and Industries at Kingsville for six year terms to expire August 31, 1953, Loy Sims of Sinton, San Patricio County, Phillip Peareson of Richmond, Fort Bend County, Albert Martin of Laredo, Webb County;

To be Members of the State Board of Public Accountancy for two year terms to expire September 4, 1949, O. H. Maschek of Beaumont, Jefferson County, J. A. Phillips of Houston, Harris County, C. A. Freeze of San Angelo, Tom Green County;

To be Chairman of the Good Neighbor Commission of Texas, for 2 year term to expire June 19, 1949, R. E. (Bob) Smith of Houston, Harris County;

To be Members of the Good Neighbor Commission of Texas for 6 year terms to expire June 19, 1953, Karl Hoblitzelle of Dallas, Dallas County, General Jonathan M. Wainwright of

San Antonio, Bexar County, Hugh Halff of San Antonio, Bexar County;

To be Members of the Good Neighbor Commission of Texas, for 4 year terms to expire June 19, 1951, Bishop C. E. Byrne of Galveston, Galveston County, Dorrance Roderick of El Paso, El Paso County, Guy I. Warren of Corpus Christi, Nueces County;

To be Members of the Good Neighbor Commission of Texas for 2 year terms to expire June 19, 1949, Lloyd C. Bentsen of McAllen, Hidalgo County, H. H. Coffield of Rockdale, Milam County;

To be Associate Justice of the Supreme Court of Texas, to fill the unexpired term of Honorable C. S. Slatton, resigned, James P. Hart of Austin, Travis County;

To be a Member of the Texas Aeronautics Commission for a 6 year term to expire September 4, 1953, Virgil L. Musick of Lubbock, Lubbock County;

To be Members of the Board of Directors of the Upper Colorado River Authority for six year terms to expire January 1, 1953, W. D. Holcomb of San Angelo, Tom Green County, Robert E. Bruce of Ballinger, Runnels County, Cumbie Ivey of Robert Lee, Coleman County;

To be Members of the Board of Directors of the San Antonio River Canal and Conservancy District for six year terms to expire May 5, 1953, M. L. Roark of San Antonio, Bexar County, Alf Schroeter of Runge, Karnes County, Martin Giesecke of San Antonio, Bexar County;

To be Members of the State Board of Registration for Professional Engineers for 6 year terms to expire September 24, 1953, J. B. Thomas of Fort Worth, Tarrant County, E. W. Pittman of Beaumont, Jefferson County;

To be Firemen's Pension Commissioner for 2 year term to expire July 1, 1949, H. B. Satterfield of Lufkin, Angelina County (now deceased);

To be a Member of the State Board of Pharmacy to fill the unexpired term of M. E. Dooley, deceased, term to expire June 14, 1949, Lee T. Stinson of Snyder, Scurry County;

To be a Member of the Library and Historical Commission for 6 year terms to expire September 28, 1953,

L. W. Kemp of Cameron, Milam County, John Gould of Wichita Falls, Wichita County;

To be District Attorney of the 25th Judicial District to fill the unexpired term of Honorable Denver E. Perkins, resigned, Willis E. Ellison of Gonzales, Gonzales County;

To be a Member of the Texas Prison Board to fill the unexpired term of Henry Womble, deceased, term to expire February 2, 1951, B. A. Stuffelbeme of Grand Prairie, Dallas County;

To be Members of the State Board of Barber Examiners for two year terms to expire October 14, 1949, Charles W. Dick of Abilene, Taylor County, J. B. Burris of Seguin, Guadalupe County;

To be a Member of the Board of Architectural Examiners, for a 6 year term to expire July 26, 1953, Bartlett Cocke of San Antonio, Bexar County;

To be Members of the State Board of Chiropractic Examiners for six year terms to expire August 11, 1953, Dr. Kenneth L. Rice of El Paso, El Paso County; Dr. Owen M. Murphy of Tyler, Smith County.

To be Members of the Board of Trustees, Municipal Retirement System, Roy H. Laird, Kilgore, Gregg County (term to expire December 31, 1948, Executive Trustee), A. H. Grantham, Lockhart, Caldwell County (term to expire December 31, 1949, Executive Trustee), Charles E. Dameron, Childress, Childress County (term to expire December 31, 1951, Employee Trustee), D. D. Nixon, Lampasas, Lampasas County (term to expire December 31, 1950, Employee Trustee);

To be a Member of the Goliad State Park Commission for term to expire March 25, 1951, Mrs. Kate Woods of Goliad, Goliad County;

To be a Member of the Board of Trustees, Teacher Retirement System, for 6 year term to expire August 31, 1953, J. W. Edgar of Austin, Travis County;

To be a Member of the Texas Prison Board to fill the unexpired term of L. T. Murray, resigned, term to expire February 2, 1949, Elmer L. Lincoln of Texarkana, Bowie County;

To be a Member of the Battleship "Texas" Commission for term to expire May 26, 1949, to fill the un-

expired term of Dr. William E. Howard of Dallas, resigned, A. W. Neville of Paris, Lamar County;

To be a Member of the Texas Prison Board to fill the unexpired term of Honorable Albert Lee of Houston, resigned, term to expire February 2, 1951, French M. Robertson of Abilene, Taylor County;

To be Associate Justice of the Court of Civil Appeals, Third Supreme Judicial District, to fill the unexpired term of the late Justice J. H. Baugh, Judge Raymond Gray of San Saba, San Saba County;

To be a Member of the Battleship "Texas" Commission for term to expire May 26, 1949, Frank Butler of Temple, Bell County;

To be a Member of the State Commission for the Blind to fill the unexpired term of Miss Rebecca Chapin, term to expire January 1, 1953, W. Reginald Taylor of Columbus, Colorado County;

To be District Attorney of the 32nd Judicial District, to fill the unexpired term of Honorable Charles Nunn, resigned, Eldon B. Mahon of Colorado City, Mitchell County;

To be District Judge of the 83rd Judicial District to fill the unexpired term of Honorable H. O. Metcalfe, resigned, to become effective January 1, 1948, Alan R. Fraser of Alpine, Brewster County;

To be a Member of the State Board of Control for a six year term to expire December 31, 1953, T. B. Warden of Austin, Travis County;

To be a Member of the Commission of Public Safety for a six year term to expire December 31, 1953, George W. Cottingham of Houston, Harris County (now deceased);

To be Chief Justice of the Supreme Court of Texas to fill the unexpired term of the late Honorable Chief Justice James P. Alexander, John Edward Hickman of Eastland, Eastland County;

To be Associate Justice of the Supreme Court of Texas to fill the unexpired term created by the elevation of Judge J. E. Hickman to the Chief Justice position, St. John Garwood of Houston, Harris County;

To be a Member of the State Board of Education to fill the unexpired term of Phil M. Stevenson, resigned,

term to expire January 1, 1953, R. B. Cousins, Jr., of Austin, Travis County;

To be a Member of the State Board of Medical Examiners, to fill the unexpired term of Dr. T. J. Crowe, deceased, term to expire April 13, 1951, Dr. Wendel A. Stiles of Dallas, Dallas County;

To be a Member of the Civil Judicial Council to fill the unexpired term of Honorable Major T. Bell, resigned, term to expire July 1, 1951, Leon Jaworski of Houston, Harris County;

To be a Member of the State Board of Medical Examiners to fill the unexpired term of the late Dr. N. D. Buie, term to expire April 13, 1953, Dr. Howard O. Smith of Marlin, Falls County;

To be a Member of the Battleship Texas Commission to fill the unexpired term of the late J. Perry Moore, term to expire May 26, 1949, Tom C. Dunn, Jr., of Houston, Harris County;

To be District Attorney of the 76th Judicial District to fill the unexpired term of Dean Neugent, resigned, James R. Cornelius, Jr., of Jefferson, Marion County;

To be a Member of the San Jacinto Park Commission to fill the unexpired term of the late J. Perry Moore, term to expire May 23, 1949, O. H. Carlisle of Houston, Harris County;

To be Firemen's Pension Commissioner to fill the unexpired term of the late H. B. Satterfield, term to expire July 1, 1949, Frank Williams of Austin, Travis County;

To be a Member of the State Board of Dental Examiners to fill the unexpired term of Dr. Marion F. Webster, resigned, term to expire May 24, 1951, Dr. Emmett R. Johnson of Dallas, Dallas County;

To be Chairman of the Board of Mansion Supervisors for a six year term to expire January 1, 1954, Mrs. George B. Butler of Austin, Travis County;

To be a Member of the James Stephen Hogg Memorial Commission to fill the unexpired term of Herman V. Puckett, resigned, term to expire June 12, 1951, Carl Estes of Longview, Gregg County;

To be a Member of the Board of Directors, Lower Colorado River Authority, to fill the unexpired term of

Mr. P. R. Hamill, resigned, term to expire January 1, 1949, J. C. Lewis of Bay City, Matagorda County;

To be a Member of the State Board of Barber Examiners to fill the unexpired term of Mr. J. H. Francis, resigned, term to expire October 14, 1948, Elgin O. Burrer of Austin, Travis County;

To be a Member of the State Parks Board to fill the unexpired term of the late H. G. Webster, term to expire May 15, 1951, Lonnie C. Fuller of Denison, Grayson County;

To be Judge of the 37th Judicial District to fill the unexpired term of the late Honorable R. W. B. Terrell, William C. Davis of San Antonio, Bexar County;

To be Members of the Central Colorado River Authority for terms to expire January 1, 1953, R. G. Hollingsworth of Coleman, Coleman County, W. T. Stewardson of Santa Anna, Coleman County, Clyde Thate of Burkett, Coleman County;

To be a Member of the Central Colorado River Authority to fill the unexpired term of Arthur Young, deceased, term to expire January 1, 1949, Cal Averett, Coleman, Coleman County;

To be a Member of the State Board of Embalming to fill the unexpired term of the late George W. Loudermilk, term to expire May 13, 1949, Thomas E. Schier of Houston, Harris County;

To be Rio Grande Compact Commissioner for term to expire July 16, 1949, J. E. Quaid of El Paso, El Paso County (now deceased);

To be Commissioner to the National Conference of Commissioners on Uniform State Laws for term to expire July 7, 1949, Ben H. Powell of Austin, Travis County;

To be District Judge of the 126th Judicial District to fill the unexpired term of Judge Roy C. Archer, resigned, Jack Roberts of Austin, Travis County;

To be District Attorney of the 53rd Judicial District to fill the unexpired term of Jack Roberts, resigned, Bob Long of Austin, Travis County;

To be Presiding Judge of the Third Administrative Judicial District to fill the vacancy created by resignation

of Judge Archer of Austin, A. P. Mays of Corsicana, Navarro County;

To be Rio Grande Compact Commissioner to fill the unexpired term of J. E. Quaid, deceased, term to expire July 16, 1949, Louis A. Scott of El Paso, El Paso County;

To be a Member of the State Board of Barber Examiners for a two year term to expire October 14, 1950, Elgin O. Burrer of Austin, Travis County;

To be Members of the Board of Directors, Upper Red River Control and Irrigation District for terms to expire July 3, 1953, T. J. Dunbar of Memphis, Hall County, J. A. Whaley of Memphis, Hall County;

To be Members of the State Board of Public Accountancy for two year terms to expire September 4, 1950, A. H. Freemon of Wichita Falls, Wichita County, Leon O. Lewis of San Antonio, Bexar County;

To be District Judge of the 11th Judicial District to fill the unexpired term of Honorable W. W. Moore, deceased, Ben F. Moorhead of Houston, Harris County;

To be Judge of the 87th Judicial District Court to succeed the late Honorable Lex Smith, Rob William Williford of Fairfield, Freestone County;

To be District Judge of the 30th Judicial District to fill the unexpired term of Honorable H. W. Fillmore, resigned, Frank Ikard of Wichita Falls, Wichita County;

To be District Judge of the 70th Judicial District to fill the unexpired term of Honorable Cecil C. Collings, resigned, Paul Moss of Odessa, Ector County;

To be Members of the State Board of Education for six year terms to expire January 1, 1955, Gilbert M. Denman of San Antonio, Bexar County, Wallace Hughston of McKinney, Collin County, Arthur Temple of Diboll, Angelina County;

To be a Member of the State Board of Education to fill the unexpired term of Herman Custard, deceased, term to expire January 1, 1951, Jack Binion of Houston, Harris County;

To be Members of the Board of Regents, Texas State College for Women for six year terms to expire January 10, 1955, D. M. Pollard of

Beaumont, Jefferson County, Mrs. Arthur F. Dieterich of Dorchester, Grayson County, Rupert Craig of Athens, Henderson County;

To be Judge of the 87th Judicial District Court for two year term beginning January 1, 1949, Rob William Williford of Fairfield, Freestone County;

To be Members of the Board of Directors, Upper Colorado River Authority for six year terms to expire January 1, 1955, G. C. Allen of Robert Lee, Coke County, C. S. Coleman of Miles, Runnels County, Frank Cannon of San Angelo, Tom Green County;

To be Members of the Board of Directors, Lower Colorado River Authority for six year terms to expire January 1, 1955, J. C. Lewis of Bay City, Matagorda County, Clay Kuykendall of San Saba, San Saba County, Alex Hardin of Llano, Llano County;

To be Members of the Board of Regents, State Teachers Colleges, for six year terms to expire January 1, 1955, Newton S. Harrell of Claude, Armstrong County, Miss Emma Mae Brotze of Marshall, Harrison County;

To be Executive Trustee, Municipal Retirement System, for a five year term to expire December 31, 1953, Roy H. Laird of Kilgore, Gregg County;

To be Member of the State Board of Registration for Professional Engineers, to fill the unexpired term of A. F. Mitchell, resigned, term to expire September 24, 1951, W. M. Andrews of Houston, Harris County;

To be a Member of the James Stephen Hogg Memorial Commission to fill unexpired term of Carl Estes, resigned, term to expire June 12, 1951, Miss Ima Hogg of Houston, Harris County;

To be Judge of the 101st Judicial District to fill unexpired term of Honorable W. M. Cramer, resigned, Dallas Blankenship of Dallas, Dallas County;

To be Branch Pilots for Sabine Bar, Pass and Tributaries for two year terms, Carl M. Bancroft of Jefferson County (term to expire July 20, 1949), J. M. Cox of Jefferson County (term to expire August 25, 1949), Christian F. Petersen of Jefferson County (term to expire August 8, 1949), G. H. Mc-

Farland of Jefferson County (term to expire August 8, 1949), S. W. Livingston, Jr., of Jefferson County (term to expire October 1, 1949), Arne Pederson of Jefferson County (term to expire October 2, 1949), J. E. Gonzales of Jefferson County (term to expire October 31, 1949), Rodney Robinson of Jefferson County (term to expire December 1, 1949), Frank D. French of Jefferson County (term to expire March 26, 1950), Edgar Woodhouse of Jefferson County (term to expire April 24, 1950), Carlyle J. Plummer of Jefferson County (term to expire April 24, 1950), A. N. Dillon of Jefferson County (term to expire April 24, 1950), Bert Jackson of Jefferson County (term to expire February 12, 1950), William F. Fredeman of Jefferson County (term to expire December 17, 1950), Willard M. Carroll of Jefferson County (term to expire December 17, 1950), Surrey B. Ellis of Jefferson County (term to expire December 17, 1950), James R. Livingston of Jefferson County (term to expire December 17, 1950), Howard C. Plummer of Jefferson County (term to expire December 17, 1950), Victor E. Sanford of Jefferson County (term to expire December 17, 1950), L. S. Tibbitts of Jefferson County (term to expire December 17, 1950), T. I. Truitt of Jefferson County (term to expire December 17, 1950);

To be Branch Pilots for Aransas Pass, Bar and Corpus Christi Bay for two year terms, Van Albert Court of Nueces County (term to expire December 1, 1949), Harold P. Lister, Jr., of Nueces County (term to expire December 1, 1949), Clyde W. Armstrong of Nueces County (term to expire March 31, 1950), Albert A. Walker of Nueces County (term to expire March 31, 1950), John Frederick Mathison of Nueces County (term to expire May 28, 1950), Virgil Thomas Lindley of Nueces County (term to expire May 28, 1950), Andrew Ben Anderson of Nueces County (term to expire May 28, 1950), Max J. Luther, Jr., of Nueces County (term to expire August 12, 1950), Gilbert S. Spinney of Nueces County (term to expire August 30, 1950);

To be Branch Pilots for the Mouth of Brazos River and Bar for two year terms to expire August 12, 1949, William Allen of Brazoria County, S. W. Hudgins of Brazoria County;

To be Branch Pilots for the Port Isabel-San Benito Navigation District

for two year terms to expire January 3, 1951, Captain Joseph A. Kelly of Cameron County, Captain Aubrey Dodge Shaw of Cameron County;

To be a Member of the State Board of Barber Examiners to fill the unexpired term of J. B. Burris, resigned, term to expire October 14, 1949, Charles Guenther of Schulenburg, Fayette County;

To be Members of the State Commission for the Blind for six year terms to expire January 1, 1955, B. F. Payne of Carthage, Panola County, Dolores (Mrs. Phil) Kazen of Laredo, Webb County;

To be Adjutant General of Texas, General K. L. Berry of Denton, Denton County;

To be a Member of the Board of Pardons and Paroles to fill the vacancy of the Honorable Abner Lewis, term to expire February 1, 1949, L. C. Harris of Austin, Travis County, formerly of Stephenville, Erath County, Texas;

To be a Member of the Texas Civil Judicial Council to succeed Judge James W. McClendon, Judge Atwood McDonald of Fort Worth, Tarrant County;

To be a Member of the State Parks Board to fill the unexpired term of the late H. G. Webster, term to expire May 15, 1951, Lonnie C. Fuller of Denison, Grayson County;

To be a Member of the State Board of Public Welfare for six year term to expire January 20, 1955, Hubert T. Johnson of Waco, McLennan County;

To be Members of the Texas Prison Board for six year terms to expire February 2, 1955, H. H. Coffield of Rockdale, Milam County, Warren Bel lows of Houston, Harris County;

To be Members of the Finance Commission for six year terms to expire February 1, 1955, W. A. Pounds of Tyler, Smith County, Neal Greer of Houston, Harris County, Cecil D. Ward, Sulphur Springs, Hopkins County;

To be Assistant Adjutant General of the State of Texas, Brigadier General William H. Martin of Austin, Travis County, Texas;

To be Commissioner of Labor Statistics for a two year term to ex-

pire January 31, 1951, M. B. Morgan of Denison, Grayson County;

To be Associate Justice of the Supreme Court of Texas to fill the unexpired term of Honorable Gordon Simpson, resigned (effective March 1, 1949), R. H. Harvey of Texarkana, Bowie County;

To be Judge of the Court of Civil Appeals, Sixth Supreme Judicial District to fill the unexpired term of Judge Harvey, resigned, Elmer Lincoln of Texarkana, Bowie County;

To be Banking Commissioner of Texas (effective September 13, 1947), J. M. Falkner of Austin, Travis County, Texas;

To be a Member of the Texas Employment Commission to fill the unexpired term of Honorable T. B. Hyder, resigned, term to expire November 21, 1948, Col. Dwight Horton of Hays County;

To be a Member of the Texas Employment Commission for a six year term to expire November 21, 1953, Col. Dwight Horton of Blanco, Blanco County.

In Legislative Session

The President pro tempore called the Senate to order as in Legislative Session at 12:25 o'clock p.m.

Messages From The House

Hall of the House of Representatives,
Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

S. B. No. 26, A bill to be entitled "An Act amending Article 694, Revised Civil Statutes of Texas; and declaring an emergency."

S. B. No. 45, A bill to be entitled "An Act to amend Article II, Section 2, House Bill No. 295, Acts of the 50th Legislature, relative to filing date of applications; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

(With amendment)

S. B. No. 179, A bill to be entitled "An Act permitting the use of certain

type seines for catching minnows for bait from the fresh waters of Guadalupe County, Texas, and making it unlawful to use such seines for the purpose of catching other fish; permitting the use of certain type seines for the purpose of catching suckers, buffalo, carp, shad or gar from said waters, and making it unlawful to keep or have in possession certain other fish caught in such seines; providing for penalties; repealing conflicting laws; and declaring an emergency."

S. C. R. No. 21, Providing for planting of flowers and flowering trees and shrubs from various sections of the State in the Capitol grounds.

H. C. R. No. 32, Granting each House permission to adjourn from Thursday, February 24, 1949 until Monday, February 28, 1949.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Concurrent Resolution 32

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 32, Granting each House permission to adjourn from Thursday, February 24, 1949 until Monday, February 28, 1949.

The resolution was read and was adopted.

Adjournment

On motion of Senator Harris, the Senate at 12:35 o'clock p.m., adjourned until 10:30 o'clock a.m. Monday, February 28, 1949.

Record of Vote

Senators Phillips and Corbin asked to be recorded as voting "nay" on the motion to adjourn.

TWENTY-SIXTH DAY

(Monday, February 28, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bullock
Ashley	Carney
Bell	Colson
Bracewell	Corbin

Cousins	Moffett
Hardeman	Moore
Harris	Morris
Hazlewood	Phillips
Hudson	Proffer
Jones	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Taylor
Lane	Tynan
Lock	Vick
Martin	Weinert
McDonald	

A quorum was announced present.

Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Shofner, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 24, 1949, was dispensed with and the Journal approved.

Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 5, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 4, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do not pass but that the committee substitute do pass in lieu thereof.

HARDEMAN, Chairman.

C. S. S. J. R. No. 4 was read first time.

Senator Aikin submitted the following report:

Austin, Texas,
February 24, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 166, have had the same under